

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

The Establishment of Policies and  
Service Rules for the Mobile  
Satellite Service in the 2 GHz Band

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IB Docket No. 99-81  
RM-9328

To: The Commission

**REPLY COMMENTS OF THE ASSOCIATION OF AMERICAN RAILROADS**

The Association of American Railroads ("AAR"), by its undersigned counsel, pursuant to section 1.415 of the rules of the Federal Communications Commission ("Commission"),<sup>1/</sup> hereby submits its reply comments to the above captioned Notice of Proposed Rule Making<sup>2/</sup> concerning use of the 6, 11, and 12 GHz bands for Mobile Satellite Service ("MSS") feeder links.

In its initial comments in this proceeding, AAR urged the Commission to adopt policies and procedures in the allocation of mobile satellite service ("MSS") feeder links that will ensure existing and future access to spectrum for the terrestrial fixed services ("FS").<sup>3/</sup> Specifically, AAR urged the Commission to apply three core principles to feeder link allocations in bands of spectrum currently allocated to FS. First, to protect

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<sup>1/</sup> See 47 C.F.R. § 1.415.

<sup>2/</sup> In the Matter of Policies and Service Rules for the Mobile-Satellite Service in the 2 GHz Band, IB Docket No. 99-81, Notice of Proposed Rule Making, (FCC 99-50) (Released March 25, 1999)("Notice").

<sup>3/</sup> See Comments of the Association of American Railroads, filed June 24, 1999, in IB Docket 99-81 ("AAR Comments").

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FS systems from downlink interference, the Commission must affirmatively establish the interference potential to FS systems before proceeding with an allocation of FS frequencies for MSS feeder link use.<sup>4/</sup> Second, the Commission must narrowly define feeder link gateways to prevent the ubiquitous licensing and deployment of feeder links that are the functional and commercial equivalent of subscriber links.<sup>5/</sup> Finally, feeder links should be limited in number and located in remote geographic areas.<sup>6/</sup>

From AAR's perspective, there is broad support in the record for AAR's positions. For example, numerous commenters cited the potential for co-channel interference between MSS feeder links and existing FS allocations.<sup>7/</sup> Further, at least one MSS operator acknowledges that there is no need for large numbers of feeder link systems.<sup>8/</sup> Accordingly, the Commission should not hesitate to adopt the core principles regarding MSS feeder link allocations expounded by AAR in its initial comments in this proceeding.

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4/ Id. at 4.

5/ Id.

6/ Id. at 5.

7/ See e.g., Comments of Bosch Telecom, Inc., filed June 24, 1999, in IB Docket 99-81, at 2 ("Bosch Comments"); Comments of Century OCN Programming, Inc., filed June 24, 1999, in IB Docket 99-81, at 2 ("Century OCN Comments"); Comments of the Fixed Wireless Communications Coalition, filed June 24, 1999, in IB Docket 99-81, at 2-5 ("FWCC Comments"); Comments of the Society of Broadcast Engineers, filed June 24, 1999, in IB Docket 99-81, at 2-3 ("SBE Comments").

8/ See Comments of Globalstar, L.P., filed June 24, 1999, in IB Docket 99-81, at 29 ("At most, Globalstar would expect to deploy only one or two earth stations in the United States.").

Finally, AAR agrees with the Fixed Wireless Communications Coalition ("FWCC") that FS spectrum plays a critical role in support of a major part of the nations infrastructure. AAR is an active member of the FWCC and supports its efforts to promote sound public policies that will ensure that vital U.S. industries such as the railroads have continued access to spectrum for new terrestrial FS systems and for the growth of existing systems.

Respectfully submitted,

ASSOCIATION OF AMERICAN RAILROADS

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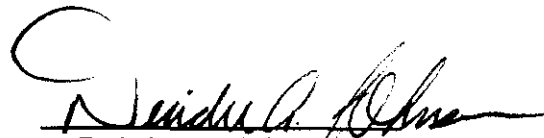
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